

Go After the Harrimans and the Rockefellers!

This striking answer to Messrs. Roosevelt, Taft and Bonaparte appeared as a leading editorial in the New York Press, a republican newspaper.

Attorney General Bonaparte said in a recent interview:

"We tried in New York not long ago in the case of the licorice trust to convict the president of the corporation as well as the corporation, but the jury found the corporation guilty and acquitted the president. The presidents of these big corporations are usually excellent men of high moral standing in their communities and unexceptionable in their private life, and usually they stand high in church work. I suppose the kind-hearted jury thought it would be cruel to put such excellent men as these behind prison bars."

A few days later Secretary Taft said in his speech at Columbus:

"Again, it is difficult to induce juries to convict individuals of a violation of the anti-trust law if imprisonment is to follow. In the case of the tobacco trust the government declined to accept a plea of guilty by the individual defendants, offered on condition that only the penalty of a fine be imposed, and the result was that the jury did not hesitate to stultify itself by finding the corporation guilty and acquitting the individual defendants, who had personally committed the acts upon which the conviction of the corporation was based. In the early enforcement of a statute which makes unlawful, because of its evil tendencies, that which in the past has been regarded as legitimate, juries are not inclined by their verdicts to imprison individuals."

This was followed by remarks in the same strain by President Roosevelt at Provincetown:

"In a recent case against the licorice trust we indicted and tried the two corporations and their respective presidents. The contracts and other transactions establishing the guilt of the corporations were made through, and so far as they were in writing were signed by, the two presidents. Yet the jury convicted the two corporations and acquitted the two men. Both verdicts could not possibly have been correct; but apparently the average jurymen wishes to see trusts broken up and is quite ready to fine the corporation itself, but is very reluctant to find the facts 'proved beyond a reasonable doubt' when it comes to sending to jail a reputable member of the business community for doing what the business community had unhappily grown to recognize as well-nigh normal in business."

The close relationship of these arguments and of the three gentlemen who advanced them, the similarity of their attitude, the likeness of their scarce illustrations and the sequence of their almost identical utterances, point to more than a coincidence. Apparently there has been a concert of action between President Roosevelt, Secretary Taft and Attorney General Bonaparte, whose purpose was to show that the reason for the failure of the department of justice to put the big criminals in jail was that juries of American citizens had refused to convict the malefactors and would continue to refuse to convict them.

To support this apology for failure to bring prosecutions looking to imprisonment of monopolists and rebaters Messrs. Roosevelt and Bonaparte both cited the single instance of the licorice trust. This was a case so obscure that it was almost ignored by the newspapers where the trial was had.

Furthermore, there was no great public demand for the conviction of the officers of the licorice trust. Licorice is not a necessary of life, and the existence of a monopoly in that commodity was known perhaps not to one man in a thousand. Everybody, on the other hand, knows there is a coal trust, a beef trust, an oil trust and a monopoly in sugar. For this reason the people cared little or nothing about the conviction of the licorice trust officers. For the same reason the writers for this newspaper have devoted no attention to the licorice trust, being kept busy

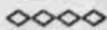
with inquiry into the facts about the corporations that monopolize the necessities of life and keep the highways of the country open or closed at will.

Our deliberate neglect of the licorice trust case makes it impossible for us to say whether the jury was to blame for the escape of the culprits or whether the department of justice had blundered its case, as it did those of the Chicago & Alton recently and of the beef trust a year ago. Possibly the jurymen may have felt that the evidence was improper or insufficient. Maybe they felt that the attorney general was beginning with the smallest of the trust criminals and they were unwilling to convict little licorice trust presidents while the Rockefellers, Baers and Armours were permitted to go free.

In any event, Messrs. Taft, Bonaparte and Roosevelt are scarcely warranted in citing one or two cases wherein American juries have refused to send "reputable members of the business community" (we deny that lawbreakers are reputable because they are wealthy) as proof that it is not possible to send this class of criminals to the penitentiary. If the president and his cabinet officers are willing to form their judgment of what American jurors will do in 100 cases upon what two American juries have done, why did they not cite the two trials at Toledo where jurors who were neighbors of the men on trial condemned several "reputable" fellow-members of the community to imprisonment for violating the anti-trust laws of Ohio?

We should say that a great deal depends on how the crooks are prosecuted. If they are not prosecuted at all it will always be easy to say that the juries would not send them to jail. If they are lathered with immunity soap and doused in an immunity tub the jurors can not do their share. If the big lawbreakers are prosecuted in the half-hearted manner that might be expected from an attorney general who talks like Mr. Bonaparte of course the jury is not certain to convict. But the uproarious enthusiasm with which President Roosevelt's declaration of war on the trust and railroad criminals has been received by the country warrants the belief that he and his advisers are happily mistaken about the attitude of American citizenship toward the powerful malefactors whom the president has charged with organizing a stock panic in order to protect themselves from the consequences of their crimes.

Bring the indictments against the Harrimans and Rockefellers. Let the little counterfeiter and the licorice trust pickers wait. Give the juries a crack at the way-up lawbreakers—then see what will happen! Let the department of justice do its duty and there need be no fear that American citizenship will not vindicate itself from the charge that it wants its worst enemies to go unwhipped!—New York Press.



WASHINGTON LETTER

(Continued from Page 5)

be elected because of any service he has performed to the city. Mr. Taft says he ought to triumph so as to keep Cleveland in touch with the republican party. Burton has never served his city, he has no knowledge whatsoever of municipal affairs, he is a candidate against a man who has made a special study of municipal government, and who is known to the people of Cleveland as a man of large means who has consecrated his life to improving the government of their city. It will be an interesting thing to find Tom Johnson debating municipal affairs with T. E. Burton; the one will know what he is talking about, the other does not. The one can talk about the things of which he knows, and the other can not. When Mr. Burton goes up against Tom Johnson, the program of the Roosevelt administration for controlling everything from the nation down through the states and through the cities is likely to receive a rather hard jolt.

I would like to call attention to a weekly paper edited by Louis F. Post, though as a matter of fact it should call, and probably has called attention to itself. The paper is The Public. It is printed in Chicago, and is the truest exponent of true democracy in the weekly field that I know. Sometimes I am tempted to quote it at length, but seldom have I space. But there could be nothing finer than this comment of his, or of his wife, who aids in editing the paper, upon the use being made of Mrs. Russell Sage's gift of \$10,000,000 to the New York School of Philanthropy. I don't quote literally. The money is to be used to examine methods of the

training of employes in the charity societies; to study the treatment of inebriates in Greater New York; to carefully examine 5,000 to 10,000 cases relieved by the Charity Organization Society; to investigate the course and the methods of burial in New York City.

Mr. Post very justly says that it might be better worth while to use this \$10,000,000 to find out why conditions exist that make the great body of the unemployed necessary today. He thinks it might be better to investigate the rich drunkards at Sherry's than the poor ones in the Bowery. He thinks it might be worth while to consider the Belmont race track as much as the down-town pool rooms, and finally, The Public suggests it might be quite as well to consider a system of taxation that keeps the poor poor, and makes the rich richer, rather than to undertake this kind of an inquiry.

WILLIS J. ABBOT.



STRAIGHT TALK

Addressing a public gathering at Hamilton, Ohio, Judge Kenesaw M. Landis gave young men—and old men, too, for that matter—something worthy of serious thought when he said: "It is easy for a man to be a good civil officer today. This talk about the courage required is what Sherman called 'poppycock.' All a man has to do is to find out what is right and then do it. If every man in office would give ten per cent of the loyalty he has to finding out what is right and the rest to simply doing it, we should realize Lincoln's ideal of a government of the people, for the people and by the people."



THE DREAM MAN

Easy, wheezy, soft and still  
The dream man climbs in the window sill;  
Slyly, blyly, dark and dim,  
The little shadows are hiding him.  
Over the sill and in the room  
The dream man comes with his bags of bloom,  
And rolling rivers and roaring seas,  
And birds with their wonderful melodies  
Easy, wheezy, soft and still  
He builds on the counterpane a hill,  
A valley down at its purple feet,  
A little river that windeth sweet,  
Fruit and berries and vine and rose,  
And a little fellow that laughing goes  
Winged in a heaven of wild delight  
That the dream man brings when he comes at  
night. —Baltimore Sun.

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